

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

SyncPoint Imaging, LLC,

Plaintiff,

vs.

Nintendo of America Inc., et al.,

Defendants.

No. 2:15-cv-00247-TH-RSP

[Jury Trial Demanded]

AMENDED DOCKET CONTROL ORDER

CURRENT DEADLINE	PROPOSED DEADLINE	Event
May 2, 2016		*Jury Selection – 9:00 am in Marshall, Texas before Judge Rodney Gilstrap
April 7, 2016		*Pretrial Conference 9:00 a.m. in Marshall, Texas before Judge Roy Payne
March 30, 2016		<p>*Notify Court of Agreements Reached During Meet and Confer</p> <p>The parties are ordered to meet and confer on any outstanding objections or motions <i>in limine</i>. The parties shall advise the Court of any agreements reached no later than 1:00 p.m. three (3) business days before the pretrial conference.</p>
March 29, 2016		*File Joint Pretrial Order, Joint Proposed Jury Instructions, Joint Proposed Verdict Form, and Responses to Motions <i>in Limine</i>

CURRENT DEADLINE	PROPOSED DEADLINE	Event
March 24, 2016		<p>*File Notice of Request for Daily Transcript or Real Time Reporting.</p> <p>If a daily transcript or real time reporting of court proceedings is requested for trial, the party or parties making said request shall file a notice with the Court and e-mail the Court Reporter, Shelly Holmes, at shelly_holmes@txed.uscourts.gov.</p>
March 18, 2016		<p>File Motions <i>in Limine</i></p> <p>The parties shall limit their motions <i>in limine</i> to issues that if improperly introduced at trial would be so prejudicial that the Court could not alleviate the prejudice by giving appropriate instructions to the jury.</p>
March 18, 2016		Serve Objections to Rebuttal Pretrial Disclosures
March 8, 2016		Serve Objections to Pretrial Disclosures; and Serve Rebuttal Pretrial Disclosures
March 2, 2016		Serve Pretrial Disclosures (Witness List, Deposition Designations, and Exhibit List) by the Party with the Burden of Proof
February 8, 2016		<p>*File Dispositive Motions or Motions to Strike Expert Testimony (including <i>Daubert</i> Motions)</p> <p>No dispositive motion or motion to strike expert testimony (including a <i>Daubert</i> motion) may be filed after this date without leave of the Court.</p>
February 8, 2016		Deadline to Complete Expert Discovery
January 21, 2016		Serve Disclosures for Rebuttal Expert Witnesses

CURRENT DEADLINE	PROPOSED DEADLINE	Event
December 14, 2015	January 17, 2015 as to Nintendo and Plaintiff only	Deadline to File Motions to Compel is extended for the sole purpose of a potential motion by Plaintiff regarding email production by Nintendo. The discovery deadline is extended for the sole and only purpose of limited discovery into assignment of patent rights as set forth in the Motion. Except as described in the Motion, the deadline to file motions to compel remains otherwise the same, as does the deadline to complete fact discovery.
December 17, 2015		Serve Disclosures for Expert Witnesses by the Party with the Burden of Proof
December 14, 2015	Unchanged except as above.	Deadline to Complete Fact Discovery and File Motions to Compel Discovery.

(*) indicates a deadline that cannot be changed without showing good cause. Good cause is not shown merely by indicating that the parties agree that the deadline should be changed.